

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANECA SNIDER,)	
)	No. 05-CV-0188-MWL
Plaintiff,)	
)	ORDER GRANTING JOINT
v.)	MOTION FOR REMAND
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 15). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7). After considering the stipulation,

IT IS ORDERED that the above-captioned case be remanded for further administrative proceedings. Upon remand, the Administrative Law Judge ("ALJ") will reevaluate the opinions of examining psychologist John Arnold, Ph.D. (Tr. 296-97, 346-47), and provide at least specific and legitimate reasons if Dr. Arnold's opinions are rejected. The ALJ will also address the opinion of James Bailey, Ph.D., that drug addiction and alcoholism was material (meets Listings 12.09, 12.06, and 12.08), which

1 contrasts with the reconsideration determination that did not find
2 materiality. The ALJ will also address whether Plaintiff's mental
3 impairments were disabling during the earlier period at issue.
4 The ALJ will provide a specific statement of Plaintiff's
5 capacity/restrictions, as required by Social Security Ruling
6 96-8p. The ALJ will hold another hearing and obtain additional
7 vocational expert testimony.

8 This Court hereby reverses the Commissioner's decision under
9 sentence four of 42 U.S.C. § 405(g) with a remand of the cause to
10 the Commissioner for further proceedings. *See Melkonyan v.*
11 *Sullivan*, 501 U.S. 89 (1991).

12 **IT IS FURTHER ORDERED:**

13 1. The parties Joint Motion to Remand (**Ct. Rec. 15**) is
14 **GRANTED**.

15 2. Judgment shall be entered for the **PLAINTIFF**.

16 3. An application for attorney fees may be filed by
17 separate motion.

18 4. The District Court Executive is directed to enter this
19 Order, forward copies to counsel, and thereafter shall **close** this
20 file.

21
22 DATED this 3rd day of January 2006.

23
24 S/ Michael W. Leavitt
25 MICHAEL W. LEAVITT
26 UNITED STATES MAGISTRATE JUDGE
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